

REMARKS

The Office Action dated September 06, 2005, has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-4 and 6-22 are now pending in this application. Claim 21 stands rejected.

In accordance with 37 C.F.R. 1.136(a), a one month extension of time is submitted herewith to extend the due date of the response to the Office Action dated September 06, 2005, for the above-identified patent application from December 06, 2005, through and including January 06, 2006. In accordance with 37 C.F.R. 1.17(a)(1), authorization to charge a deposit account in the amount of \$120.00 to cover this extension of time request also is submitted herewith.

The rejection of Claim 21 under 35 U.S.C. § 103(a) as being unpatentable over W.P. Hill (U.S. Patent No. 2,561,278) ("Hill") in view of M.H. McTurk (U.S. Patent No. 2,453,448) ("McTurk") is respectfully traversed.

Hill describes a refrigerating system (10) having a compressor (13), a condenser (11), and an evaporator (12). The system also includes a fan (14). Each of the condenser and the evaporator are spiral shaped and extend radially outward from a longitudinal axis, which corresponds to the axis of rotation of the fan. Air is blown axially along the condenser and evaporator.

McTurk describes a heat exchanger having heat conducting wires (2).

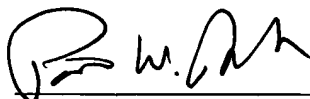
Claim 21 recites a refrigerator condenser having "a tube coupled to a wire member and formed into a spiral, said tube having an outer diameter and a substantially circular cross section, said spiraled tube and wire member defining a continuous layered condenser surface having an inner layer and an outer layer, said condenser configured to draw air substantially perpendicularly across from said outer layer to said inner layer."

Neither Hill nor McTurk, considered alone or in combination, describe or suggest a refrigerator condenser as recited in Claim 21. More specifically, neither Hill nor McTurk, considered alone or in combination, describe or suggest a spiraled tube and wire member defining a continuous layered condenser surface having an inner layer and an outer layer, wherein the condenser is configured to draw air from the outer layer to the inner layer. Rather, in contrast to the present invention, Hill describes a spiral shaped condenser extending radially outward from a longitudinal axis, wherein air is blown axially along the condenser, and McTurk merely describes a heat exchanger having heat conducting wires. Neither Hill nor McTurk describe drawing air from one layer to another layer of the condenser. Accordingly, for the reasons set forth above, Claim 21 is submitted to be patentable over Hill in view of McTurk.

For at least the reasons set forth above, Applicants respectfully requests that the section 103(a) rejection of Claim 21 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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